



**U.S. Department of Justice**  
*United States Attorney*  
*Southern District of Georgia*

---

*Post Office Box 8970*

*100 Bull Street*

*Savannah, GA 31412*

*/Savannah, GA 31401*

*(912) 652-4422 / FAX (912) 652-4388*

**FOR IMMEDIATE RELEASE**  
**June 30, 2004**

**Contact: Dan Drake**  
**(912) 201-2669**

## **Twenty-Two Count Federal Fraud Indictment Returned Against Augusta Podiatrist**

**AUGUSTA:** Paul B. Murphy, United States Attorney for the Southern District of Georgia, announced today the return of a twenty-two (22) count indictment on June 23, 2004 by the federal grand jury sitting in Savannah against Russell J. Ellicott, D.P.M. The Defendant is charged in Count One with health care fraud in violation of 18 U.S.C. § 1347 and in Counts Two through Twenty-Two with False Statements Related to a Health Care Matter in violation of 18 U.S.C. § 1035.

The indictment arises out of a joint federal and state investigation into the podiatric services allegedly provided by the Defendant to patients in nursing homes throughout eastern Georgia, including nursing homes located in Augusta and Statesboro. The indictment alleges that from January, 1997 through June, 2002 the Defendant executed a scheme to defraud Medicare and Georgia Medicaid out of hundreds of thousands of dollars by billing for foot care services he did not perform, including billing for services allegedly performed upon dead persons and amputees.

Under Count One, which charges a violation of 18 U.S.C. § 1347 (Health Care Fraud), the maximum statutory penalties include: not more than ten (10) years imprisonment; a fine of not more than \$250,000; and, not more than three (3) years supervised release. Under Counts Two through Twenty-Two, which charge violations of 18 U.S.C. § 1035 (False Statements Related to Health Care

Matter) the maximum statutory penalties for each count include: not more than five (5) years imprisonment; a fine of not more than \$250,000; and, not more than three (3) years of supervised release.

Mr. Murphy stressed that an indictment is only an accusation and is not evidence of guilt. The Defendant is entitled to a fair trial, during which it will be the Government's burden to prove guilt beyond a reasonable doubt.

The investigation was conducted by agents with the Georgia State Health Care Fraud Control Unit, including agents with the Georgia Bureau of Investigation and Georgia Department of Audits, by agents with the U.S. Department of Health and Human Services, Office of Inspector General, and by agents with the Federal Bureau of Investigations. The Government is represented by Assistant United States Attorney Jim Durham, and Sandy Callahan of Georgia's Attorney General's Office, and State Health Care Fraud Control Unit.

XXXXX  
10-04